

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: MORITA et al

Serial No.: 09/068,592

Filed: May 14, 1998

For: CATHODE MATERIAL FOR LITHIUM  
SECONDARY BATTERY, PROCESS FOR  
MANUFACTURING THE SAME, AND SECONDARY  
BATTERY USING THE SAME



Patent

Examiner: Weiner, L.

Art Unit: 1745

Docket No.: P05934US0/TPS.

#6  
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SC

**RESPONSE**

Assistant Commissioner of Patents  
Washington, D.C.

S I R:

In the Office Action dated September 29, 1999 the Examiner has required  
restriction as follows:

Group I, claim(s) 1-12, 23-27, drawn to a carbon material and a method for  
producing a coated material.

Group II, claim(s) 13-22, 32-37, drawn to a second method for producing a carbon  
material.

Group III, claim(s) 28-31, drawn to a lithium secondary battery.

The requirement for restriction is respectfully traversed as regards to the  
restriction between designated inventions I and II.

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Designated invention I relates to a carbon core coated with carbon and having a defined shape. Designated invention II relates to a method of producing the coated product of invention I.

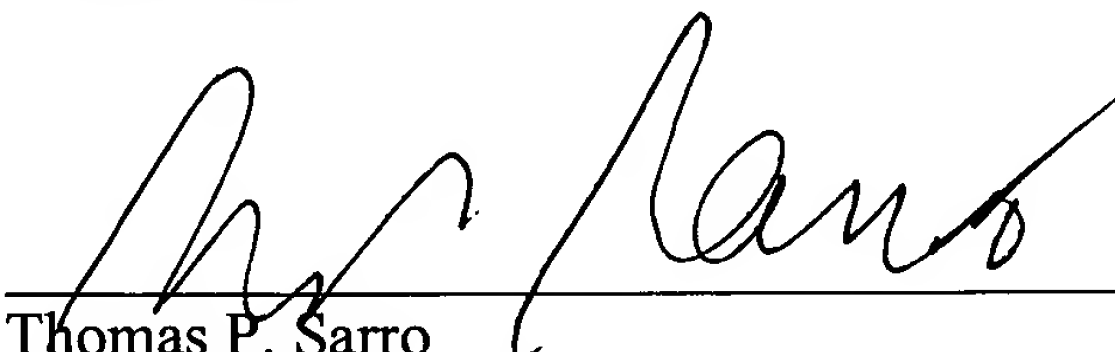
It is now PTO practice to allow in an application both product claims and process claims for producing the product. Even though the practice allows election under 35 U.S.C. 121, where the product claims are elected and found allowable, the process claim can be rejoined and allowed in the same application. See the enclosed Notice on Treatment of Product and Process Claims. For this reason and the fact that the coating method claims must be searched to determine the patentability of the product, retention of both types of claims in the application is respectfully requested.

To complete the response, applicant elects the invention designated Group I (claims 1-12, 23-27).

Respectfully submitted,

LARSON & TAYLOR

Date: October 29, 1999

  
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